

### **Remarks/Arguments**

Claims 1-13 are pending. Claims 1-13 are rejected. Claim 1 has been amended to more clearly and distinctly recite the subject matter that applicants regard as their invention. No new matter is believed to be added by the present amendment.

Applicants also have attached herewith a copy of an IDS that was filed with the application transmittal forms on January 11, 2002. Applicants have not received an acknowledgement of the IDS, and request that an examiner initialed copy of the IDS be sent to applicants.

### **Rejection of claims 1-2 and 4-5 under 35 USC 102(b) as being anticipated by Kreft (US Pat. No. 5847372)**

Applicants submit that claims 1-2 and 4-5 are not anticipated by the teachings of Kreft for the reasons discussed in applicants' previous response filed October 28, 2004, and maintain the argument included therein.

### **Response to Arguments**

Furthermore, Applicant disagrees with the Examiner's characterization of Kreft, as applied to Claims 1-2, 4 and 5.

In the Final Office Action (herein referred to as "FOA"), the Examiner states on page 7, lines 3-9 that:

*it is noted that the chip card in Kreft (e.g. connecting unit 4 or microcontroller 5 when connecting unit 4 is installed directly on the chip of microcontroller 5) functions as "a card reader coupled to a microcontroller" in claim 1 to detect different types of IC cards (read/write devices), where in the IC card of the first type responds differently to the first signal than the IC card of the second type, at least one of the IC cards producing a distinct second signal in response to the first signal... (Emphasis added)*

First, the Examiner's interpretation of Kreft, as emphasized above, is clearly contradictory to the intending reading and teaching of Kreft. Kreft relates to a "CHIP CARD" which is clearly evident by the title of the invention and the detailed description. Applicant's claimed invention is directed to details of a device having a **card reader**.

Second, even substituting the connecting unit 4 coupled to a microcontroller 5 or 7 (which are relied upon by the Examiner as functioning as a card reader coupled to a microcontroller, page 7, lines 4-6 of the FOA), the connecting unit 4 does not meet all of the claimed limitations set forth in Claim 1. For example, the recited card reader of the device **receives “the IC card”**. In contrast, connecting unit 4 and microcontroller 5 are embedded parts of the IC card and **one element does not receive the other** as recited in present claim 1.

In another example, the connecting unit 4 does not function to or have means for *“applying a first signal to at least one of the operational contacts of the IC card that is placed in said card reader.”* Instead, the connecting unit 4 can be configured as a microprocessor or hardwired to evaluate incoming information from a read/write device and switch over microcontrollers 5 and 7. (See col. 2, lines 26-37) While, the connections or contacts between the connecting unit 4 and the microcontrollers 5 and 7 can be changed internally, the connecting unit 4 is still not described in a manner such that operational contacts of an IC card are *“placed in”* connecting unit 4. In still a further example, the connecting unit 4 is not described as functioning as or having means for *“determining whether the IC card in the card reader has produced the second signal.”* (Emphasis added)

The Examiner relies on passages in col. 2, lines 55-62, col. 1, lines 58-61 and col. 1, lines 39-49, but these passages describe the implementation of the IC card of Kreft and does not describe specific components or functions of a *“card reader”* having the recited details.

To further clarify, claim 1 has been amended to recite that the blocking and enabling means block and enables **respective signal paths** associated with selected ones of the operational contacts. Applicants submit that nowhere does Kreft disclose or suggest such a feature.

In view of the foregoing remarks and in addition to the comments set forth in Applicant's previous response, the rejection of Claims 1-2 and 4-5 under 35 USC 102(e) by Kreft should be withdrawn.

**Rejection of claims 6-12 under 35 USC 102(b) as being anticipated by Lee (US Pat. No. 5712472)**

Applicants submit that present claims 6-12 are not anticipated by Lee for the reasons stated in applicants' response filed October 28, 2004, and maintain the arguments included therein.

Further, applicants submit that present claims 6-12 are not anticipated by Lee in view of the remarks in the Final Office Action. In the Final Office Action (herein referred to as "FOA"), the Examiner states on page 8, lines 1-10 that:

first, note that even though the connection terminals are deactivated only after the card-type file is read, it is still controlled by the responsive signal, since if there is no reset signal sending out for detection and there is no reply sending back, there would be no deactivation step as taught. Second, consider the claim limitations which stated "wherein at least one signal path to predetermined ones of the operational contacts is enable, or at last one signal path is disabled", in this case since Lee teaches enabling the communication to conduct data processing of the card in dependence upon the type determination, therefore at least one signal path to predetermined ones of the contacts is enabled for communication upon the detection (at least claim 2 and col. 4, lines 12-36)

Applicant disagrees with the emphasized statements above. With specific reference to Applicant's Claim 7, it states:

...determining whether a responsive signal from the card is characteristic of a card of the first type or a card of the second type; and implementing an interface for the identified IC card ... the operational contacts is enabled, or at least one signal path is disabled, as a result of whether the responsive signal was determined to be characteristic of the first type or the second type.

In Lee, the deactivation step is a part of a **power down process, not implementing an interface**. Activation of terminals takes place in step 104 and deactivation of terminals takes place in steps 126 and step 136 of the flowchart shown in FIG. 5. Deactivation takes place regardless of the responsive signal as evidenced by the flowchart. In situation 1, if the ATR signal is not received the flowchart path follows the path of steps 132, 134, 136 and 138. In situation 2, if the ATR signal is received the flowchart path follows the path of steps 122, 124, 126 and 128.

The deactivation steps 126/134 are steps for both cards types and not the result of a card type determination and for implementing an interface. Instead, the deactivation steps 126/134 are performed after the retrieved file is read (step 124/134). Hence, an interface either is already in place to accommodate both cards or does not require deactivation steps 126/134. It should be further noted, that the deactivation steps 126/134 are **immediately followed by power off steps 128/138**. Therefore, the deactivation is not disclosed as being part of a step for "implementing an interface for the identified IC card," as claimed. Instead, the deactivation steps 126/134 appear to

be part of a **shut down process** so that the IC card can be removed from the card reader.

Moreover, the deactivation of terminals in steps 126/134 is not *“as a result of whether the responsive signal was determined to be characteristic of the first type or the second type.”*

In view of the foregoing remarks and in addition to the comments set forth in Applicant's previous response (which are maintained below), the rejection of Claims 6-12 under 35 USC 102(e) by Lee should be withdrawn.

**Rejection of claim 3 under 35 USC 103(a) as being unpatentable over Kreft in view of Morrison.**

The Examiner relies on Morrison for a teaching of a NRSS type card. However, Morrison does not teach the deficiencies of Kreft set forth above. Thus, Applicants submit that Claim 3 is allowable over the prior art of record and the corresponding rejection under 35 USC 103(a) should be withdrawn.


**Rejection of claim 13 under 35 USC 103(a) as being unpatentable over Lee in view of Morrison.**

The Examiner relies on Morrison for a teaching of a NRSS type card. However, Morrison does not teach the deficiencies of Lee set forth above. Thus, Applicants submit that Claim 13 is allowable over the prior art of record and the corresponding rejection under 35 USC 103(a) should be withdrawn.

**CONCLUSION**

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815 to discuss the same.

Respectfully submitted,

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